

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
HO-P03195US0  
U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

PRIORITY DATE CLAIMED

APPLICANT(S) FOR DO/EO/US Riichard Merken-Schiller et al.

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A preliminary amendment.

14. ☒ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.

18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☒ Other items or information: Specification (12 pages)  
Drawings (2 sheets) Return Receipt Postcard


JC20 Rec'd PCT/PTO 2 4 JUN 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                       |   |                     |
|---|-----------------------|---|---------------------|
| U.S. APPLICATION NO. (if known) <b>10/540591</b> (37 CFR 1.5)<br>INTERNATIONAL APPLICATION NO.<br><b>PCT/EP04/00275</b>   |                       | ATTORNEY'S DOCKET NUMBER<br><b>HO-P03195US0</b>   |                     |
| The following fees have been submitted  |                       | <b>CALCULATIONS</b>   | <b>PTO USE ONLY</b> |
| 21. <input checked="" type="checkbox"/> Basic national fee .....\$300   |                       | \$ 300.00   |                     |
| 22. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100<br>All other situations .....\$200   |                       | \$ 200.00   |                     |
| 23. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100<br>International Search Report prepared and provided to the Office .....\$400<br>All other situations .....\$500 |                       | \$ 500.00   |                     |
| <b>TOTAL OF 21, 22 and 23 =</b>   |                       | \$ 1,000.00   |                     |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |                       |   |                     |
| Total Sheets<br>- 100 =   | Extra sheets<br>/50 = | Number of each additional 50 or fraction thereof (round up to a whole number)                                     | RATE<br>x \$250.00  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |                       | \$ 130.00   |                     |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b>   | <b>NUMBER EXTRA</b>   | <b>RATE</b>         |
| Total claims  | 28 - 20 =             | 8   | x 50.00             |
| Independent claims  | 3 - 3 =               |   | x 0.00              |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)   |                       | +   |                     |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                       | \$ 1,530.00   |                     |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |                       |   |                     |
| <b>SUBTOTAL =</b>   |                       | \$ 1,530.00   |                     |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).  |                       | + \$  |                     |
| <b>TOTAL NATIONAL FEE =</b>   |                       | \$ 1,530.00   |                     |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |                       | + \$  |                     |
| <b>TOTAL FEES ENCLOSED =</b>  |                       | \$ 1,530.00   |                     |
|   |                       | Amount to be refunded:  | \$                  |
|   |                       | Amount to be charged:   | \$                  |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,530.00 to cover the above fees is enclosed.  |                       |   |                     |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.   |                       |   |                     |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-2375. A duplicate copy of this sheet is enclosed.   |                       |   |                     |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  |                       |   |                     |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</b>  |                       |   |                     |
| <b>SEND ALL CORRESPONDENCE TO:</b><br>Jan K. Simpson<br>FULBRIGHT & JAWORSKI L.L.P.<br>Fulbright Tower<br>1301 McKinney, Suite 5100<br>Houston, Texas 77010-3095<br>(713) 651-5383<br>CUSTOMER NUMBER: 26271  |                       |   |                     |
|   |                       | SIGNATURE: <br>Jan K. Simpson |                     |
|   |                       | NAME  |                     |
|   |                       | 33,283<br>REGISTRATION NUMBER   |                     |

10/540591

JC20 Rec'd PCT/PTO 24 JUN 2005

Application No. (if known): Not Yet Assigned

Attorney Docket No.: HO-P03195US0

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV671533772US in an envelope addressed to:

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Transmittal Letter to the United States Designated-Elected Office (2 pages)  
Application Data Sheet (3 pages)  
Specification (12 pages)  
Drawings (2 sheets)  
Preliminary Amendment (7 pages)  
Check in the amount of \$1,530.00  
Return Receipt Postcard